

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111  
Serial Number: 10/692,585  
Filing Date: October 23, 2003  
Title: DETERMINING A CHECKSUM FROM PACKET DATA

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### REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed September 19, 2007. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1-30 were previously pending. Claims 1, 13-19, 22-23, 27, and 29 have been amended. Claims 10-11, 20-21, 26, and 30 have been canceled without prejudice. Accordingly, claims 1-9, 12-19, 22-25, and 27-29 remain pending in this application.

Initially, undersigned would like to thank Examiner Baker for indicated suggested changes to overcome the rejections under 35 USC §§101 and 112.

#### 35 USC § 101 Rejection of the Claims

Claims 14-22 were rejected under 35 USC § 101 because the claimed invention was indicated to be directed to non-statutory subject matter. The above detailed amendments are believed to fully address the rejections under 35 USC § 101.

#### 35 USC §§102, 103, and 112 Rejection of the Claims

Claims 1, 2, 4, 13, 14, 16, 23 and 24 were rejected under 35 USC § 102(b) as being anticipated by Weaver (U.S. Patent No. 5,935,268).

Claims 1, 2, 23, 24 and 27 were rejected under 35 USC § 102(a) as being anticipated by Elzur et al. (U.S. Patent No. 6,629,141).

Claims 1-4, 13-16, 23 and 24 were rejected under 35 USC § 102(e) as being anticipated by Poeluev (U.S. Patent No. 6,728,930).

Claims 1-4, 8, 13-16, 23, 27 and 28 were rejected under 35 USC § 102(e) as being anticipated by Talaugon et al. (U.S. Patent No. 7,096,383).

Claim 28 was rejected under 35 USC § 103(a) as being unpatentable over Elzur et al. (U.S. Patent No. 6,629,141).

Claims 1-7, 13-18 and 23-25 were rejected under 35 USC § 103(a) as being unpatentable over Chen et al. (U.S. Patent No. 6,269,374).

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Claims 9, 19 and 29 were rejected under 35 USC § 103(a) as being unpatentable over Talaugon et al. (U.S. Patent No. 7,096,383).

Claims 10, 12, 20, 22 and 30 were rejected under 35 USC § 103(a) as being unpatentable over Talaugon et al. (U.S. Patent No. 7,096,383) in view of Cheng et al. (U.S. Patent No. 7,266,120).

Claims 10-12, 13-22, and 27-30 were rejected under 35 USC § 112, second paragraph as detailed on pages 11-13 of the outstanding Office Action. In response, it is submitted that the amendments detailed above fully address all outstanding rejections under 35 USC § 112, second paragraph.

Allowable Subject Matter

With respect to claim 11, it appears that the only outstanding rejection was under 35 USC § 112. To this end, the changes indicated by the examiner have been incorporated into claim 11 (and intervening claim 10) and the language of claims 10-11 have been incorporated into their respective independent claim 1. Accordingly, claim 1 is in condition for allowance.

Similarly, claim 21 appears to be only rejected under 35 USC 112. To this end, the changes indicated by the examiner have been incorporated and claim 21 (and intervening claim 20) and the language of claims 20-21 have been incorporated into their respective independent claim 13. Accordingly, claim 13 is also in condition for allowance.

With respect to claim 26, undersigned failed to find any basis for rejection of the claim. Accordingly, the language of claim 26 has been incorporated into its respective independent claim 23. Accordingly, claim 23 is in condition for allowance. Also, similar amendments have also been made to independent claim 27. Claim 27 has also been amended to replace "packet" with "TCP segment" to address antecedent basis issues. Accordingly, claim 27 should be allowable for at least similar reasons as claim 23 (and/or claims 1 or 13).

Therefore, all pending independent claims are in condition for allowance.

Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

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Lastly, if a next Action is to be mailed, Applicant respectfully requests that the next action not be made final Pursuant to MPEP §706, e.g., as any amendments to the claims falls within language previously present in front of the Office. Hence, none of the amendments necessitate a search.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (720-840-6740) to facilitate prosecution of this application.

Applicant hereby petitions, as well as includes the appropriate fee herewith, to obtain a 1-month extension of the period for responding to the Office action, thereby moving the deadline for response from December 19, 2007, to January 19, 2008 (which due to holidays is automatically extended to January 22, 2008).

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

**CUSTOMER NUMBER: 50890**

Telephone Number: 720-840-6740

Date Jan. 22, 2008

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